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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/100,569	06/19/1998	MICHAEL E BURKE	CASE-2-1-3-2	8701
27771	7590	01/28/2002		
JOHN DE LA ROSA 67 WALL STREET SUITE 2211 NEW YORK, NY 10005			EXAMINER	
			LIU, SHUWANG	
		ART UNIT	PAPER NUMBER	
		2634		

DATE MAILED: 01/28/2002

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11/10/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT);

- 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- 2. A marked up version of the replacement paragraph(s) is required. See 37 CFR 1.121(b)(1)(iii).
- 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- 4. A marked up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: A marked up copy for the Amended claims is needed.

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.").

For further explanation of the amendment format required by 37 FR 1.121, see MOEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicants is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Joy J. Dobbs
Legal Instruments Examiner(LIE)